

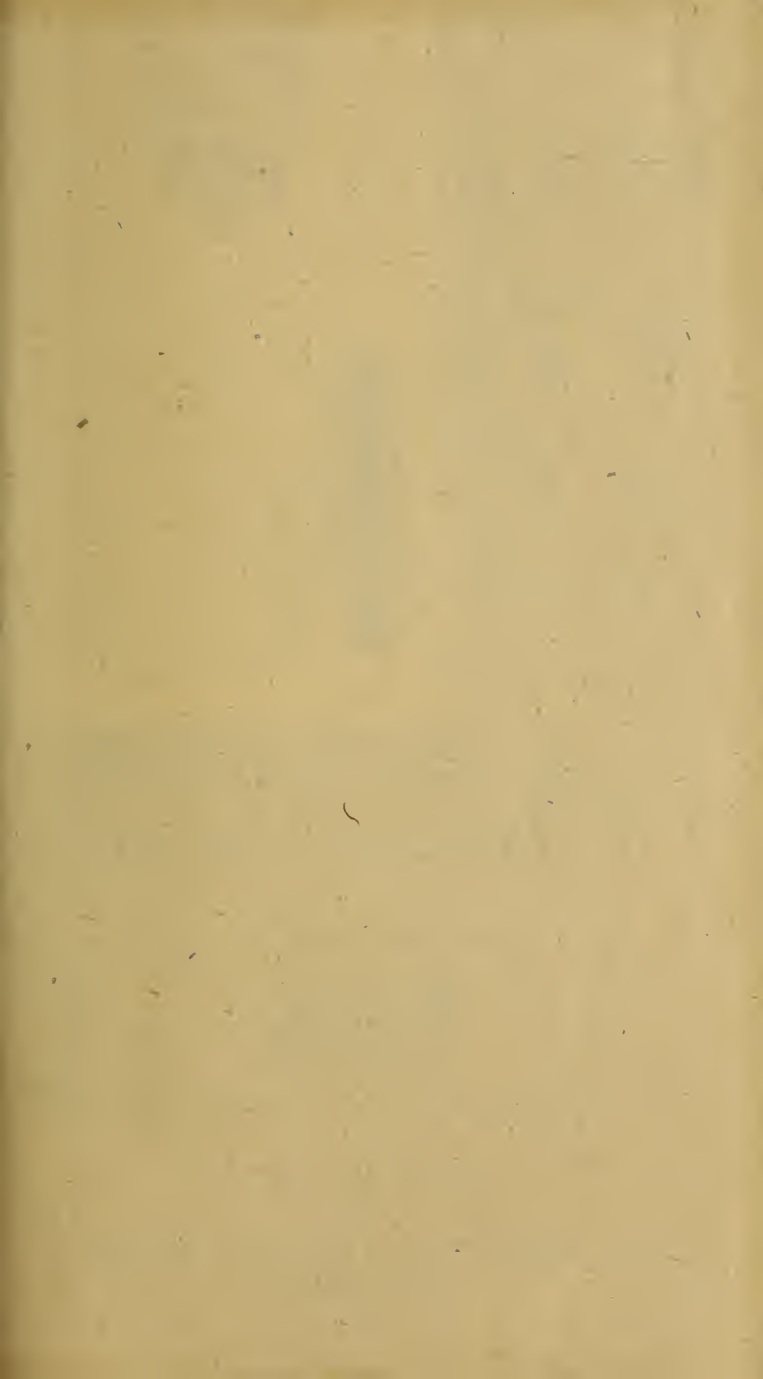


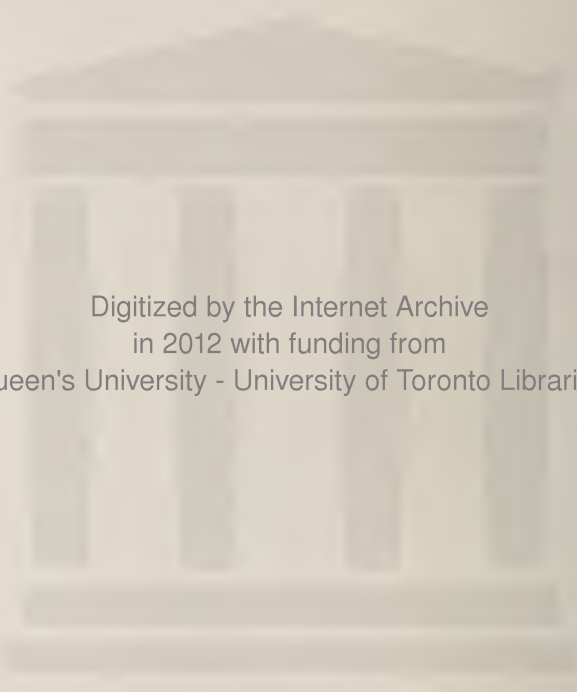
special
collections
DOUGLAS
Library



QUEEN'S UNIVERSITY
AT KINGSTON

KINGSTON ONTARIO CANADA





Digitized by the Internet Archive
in 2012 with funding from
Queen's University - University of Toronto Libraries

Mr. A S G I L L

D E

ſURE DIVINO.

BOOKS written by John Apgill Esq;

1. **A**N Essay on a Registry for Titles of Lands. Price 6 d.
2. A Vindication of the same. 6 d.
3. An Argument concerning Translation. 12 d.
4. The *Jure Divino* of the House of *Hannover*. 6 d.
5. An Essay for the Press. 1 d.
6. Mr. *Apgill's* Defence on his Expulsion from the House of Commons. 12 d.
7. Extract of all the Acts of Parliament for settling and securing the *Hannover* Succession, &c. Being an Apology for an Omission in a late Publication. 3 d.
8. The Pretender's Declaration abstracted from two anonymous Pamphlets: one intitled, *Jus Sacrum*; the other, *Memoirs of the Chevalier De St. George*. 6 d.
9. The Succession of the House of *Hannover* vindicated against the Pretender's Second Declaration in Folio, intitled, *The Hereditary Right of the Crown of England asserted*. 12 d.
10. The Pretender's Declaration from *Plombiers*, english'd. With a Postscript before it, in relation to Dr. *Kesley's* Letter sent after it. 3 d.

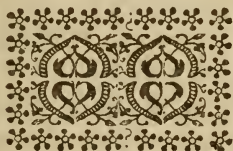
The Assertion

I S,

That the Title of *the House of Hannover* to the Succession of the *British* Monarchy (on failure of Issue of her Present Majesty) is a Title *Hereditary, and of Divine Institution.*

The Third Edition.

Si Natura negat, facit Indignatio versum.



L O N D O N,

Printed by J. Darby in Bartholomew-Close.
M. DCC. XV.

The Nation

18

That the title of the above
document to the Commission
of the Court of Admiralty
on behalf of the United
States of America is not
correct, and that the
document is not a
copy of the original.

THE SECRETARY

OF THE DEPARTMENT OF THE ARMY

WASHINGTON
D. C.
JAN 10 1865

RECEIVED

DEPARTMENT OF THE ARMY
WASHINGTON
JAN 10 1865

IN a Pamphlet (so call'd) lately condemn'd,
I had these words: And after this I'll ne-
ver write again.

*This I now recant, being since provok'd
by something (I could not then foresee) a lit-
tle of kin to the Offence taken by the Satyr a-
gainst the Countryman, as blowing hot and
cold out of the same Mouth.*

*I remember the latter end of the Reign of
King Charles the Second, when the Pulpits
blow'd out their Anathema's against all that
doubted their Jus Divinum, or scrupled their
Passive Obedience.*

*After that, I don't forget the Reign of the
late King James, when this Breath was suck'd
in again.*

*And now the Doctor and his Addressers huff
and puff again.*

I shall soon have done with the Doctor.

*Nor had I so much as nam'd him, had he
not bin advis'd first to have quoted me as part
of his Defence,*

*In which be has had an Advantage I did not
arrive to.*

For by offering a Recantation of his Sermon as his Defence for preaching it, he hath thereby secur'd himself to have bin once in the right.

Nor shall I be long upon the Addresses.

Which would make a good Pharisee's Prayer ; Giving God thanks that there are no honest Men in the world but themselves.

They cry about streets their Allegiance to the Crown, without which they must intitle themselves to the Gallows.

And all those that don't make as much noise about it as themselves, they call as many Names as would make an Almanack for a Waterman in Whitsun-Holy-Days.

And have doom'd all the People of foreign States and Commonwealths (who have no King in this World) to be therefore damn'd in the next.

To her Majesty (indeed) they seem to have allow'd two Titles to the Crown.

Of which they have singled out the Hereditary, as the Right, and keep that to themselves.

Ergo, The Settlement of the Crown was wrong.

And this they leave for Republicans and Hereticks.

Tho (with their good leave) by the Laws of Partition, he that divides should not chuse.

But to the House of Hannover they seem to have left no other Title but that of Illustrious.

However,

However, to express the Quintessence of Passive Obedience, they lustily promise them their future Allegiance (tho seemingly against their Consciences.)

To be sure they are for her Majesty, who is in possession, and (perhaps) for the House of Hannover, lest they should be.

But all their Loyalty can't hold them in Temper without a New Parliament; for something they keep to themselves, and every one knows.

And yet I must confess they have a strange winning way with them, to give such Content at Home and Abroad.

Whilst the Bells ring at Litchfield, the Organs play Te Deum at St. Germain's.

Hoc Ithacus velit, hoc magno mercentur
Atridæ.

But having thus vented my Spleen, I feel my self a little better-humour'd.

I wish no Ill to their Persons.

But cannot help thinking, that the frequent Addition of Hereditary, given to the Title of her Majesty in possession of the Crown, and the Omission of that Adjective, in the naming the Title of the House of Hannover to the Succession, seems a tacit Implication, That the Title of that House is not Hereditary, and therefore rather precarious than rightful.

To them therefore that have such Apprehensions, I dedicate the Sequel.

And

And I hope we shall not differ in the main, being both for the same thing, Hereditary Title, and Divine Right.

And tho the Terms are become common, I flatter my self that I shall not be impertinent, in repetition of much that hath bin said before.

Or if I should, it may seem some Novelty (perhaps) to have this Right and Title asserted by me, who stand condemn'd for a Heretick, and suspected for a Republican.

But after the manner that some Men call Heresy, so worship I the God of my Fathers.

And after the manner that some Men call Republick, so reverence I, and obey my Sovereign.

And if they that make such a stir about Loyalty would but have told us their meaning of it, perhaps I need not have told mine.

For I am willing to bear them Record, that they seem to have a Zeal, but not according to Knowledg.

What therefore they would have us ignorantly worship, that declare I unto them :

V I Z.

That the Title of the House of Hannover to the Succession of the Crown (upon Failure of Issue of her present Majesty) is a Title Hereditary, and of Divine Institution.

OF things since become common by Usage, the first Forms were deliver'd out by God himself.

Of Letters and Writing, of Ships, of regular Buildings, of Marches and Encampments, of Brass and Iron, Silk and Bugle-work, Plowing and Harrowing, Sowing and Reaping, Threshing and Winnowing; *for his God doth instruct him unto all this.*

Which verifies the Saying of Solomon, *That there is no new thing under the Sun.*

For what Man calls Invention, is only a more strict Observance of things past, than what hath been before made of them.

And by comparing and examining the things now in use, with the Originals or

Precedents of them first deliver'd out by God, we come to make a Judgment whether our Usage be right or wrong.

And hence our Saviour, to convince the *Jews* of their Error about the Laws of Divorce, observ'd unto them the original Institution of Marriage by God himself, which had no way lost its Force or Sanction by any Tradition they had since receiv'd from one another about it.

But as such it did; and doth remain an Eternal Standard of the Right, without any farther Argument about it.

And therefore when we have trac'd any thing to the first Form or Precedent of it deliver'd out by God, then we are come to *the Divine Right* of that thing, which we are to make our *Standard* for ever.

And tho in searching for these *Originals*, we should find any use of the like things before the time of God's delivering out his own Forms thereof, we are to pass them by (as Judges do Cases quoted from imperfect Authorities) without taking any Aim from them.

It is better to stand still, than wander in an unknown way.

The *Israelites* in the *Wilderness* were not to march, but when the Cloud was taken up from over the Tabernacle.

Now in making this Scrutiny for the Original of Government, we find no Form

of any before the Flood (unless that in private Families.)

After that, we find, that the Descendants of *Ham* and *Japheth* (whom God left out for the *Gentiles*) had erected Governments and Kingdoms among themselves, before any regular Frame of Government was deliver'd out by God to the Descendants of *Shem*, whom he had chosen for a People to be call'd his own, and taught by himself.

And the first word of Command to them was *Negative*, *not to follow or regard the Fashion of other Nations*; but to wait for such Instructions as God should from time to time deliver out unto them.

And as God had given unto them the Title of the Land of *Canaan* (by *Promise made to Abraham*) above five hundred years before he led them into the possession of it:

So he did deliver out unto them the Settlement of their future Government (*in the Prophecy of Jacob*) twelve Generations before there was any execution of it.

*The Scepter shall not depart from Judah,
nor a Lawgiver from between his Feet,
until Shiloh come.*

This is the Original Charter of the *Jewish Monarchy*.

Which is a general Entail of the Scepter upon the House of *Judah*.

Whereby each Descendant of that Tribe was capable of inheriting the Crown, and by a possibility might come to possess the Throne.

Which none of any other Tribe could pretend to, the Entail being special to that Tribe only, without any Limitation over of any collateral Entail, to the Blood of the other Tribes.

And from thenceforth this Tribe was made and esteem'd the Royal Tribe.

From whence *Christ* himself takes one of his Titles of Honour, *The Lion of the Tribe of Judah*.

But from the time of the Delivery out of this Entail, to the time of the Execution of it,

God kept the whole Tribe in suspense, to which of the Families of that Tribe, the Scepter should be first deliver'd.

For tho this Entail was thus special to the Tribe of *Judah* only, exclusive of the other Tribes; yet the same was a general Entail upon that Tribe indefinitely, without any special Limitation to any particular Family of that Tribe, or to any special Issue of that Family.

And tho by their Laws the eldest Son was inheritable to a Birthright in the Estate:

Yet God by this very Nomination of *Judah* to the Scepter, signify'd that the Crown
was

was not to be inseparably annex'd to the Birthright.

The Scepter seeming to fall to *Judah* (a fourth Son) in default of his three elder Brothers.

Reuben had defil'd his Father's Bed, and thereby forfeited all that he could pretend to or expect from his Birthright.

And *Simeon* and *Levi* being Brethren in Blood, were not admitted to take advantage of this Forfeiture.

And in the Disposition of it, God divided the Scepter from the Birthright, and the Birthright from the Scepter.

The Birthright it self was only a double Portion of the Estate.

And this was transfer'd to *Joseph* (the eldest Son by a second Venter) who being but of the half Blood to *Reuben*, could not have inherited the Birthright from him

But the same being forfeited by *Reuben*, God gave *Jacob* the Disposition of it, to which of his other Sons he pleas'd.

And under the Title of this Translation of the Birthright, the Descendants of *Joseph* had a double Portion of the Conquests allotted unto them, equal with any two other Tribes; *Manasseh* on the North, and *Ephraim* on the South-side of *Jordan*.

And there the Birthright rested.

The Scepter it self *Reuben* was never possess'd of, and so cannot be said to have forfeited it.

But

But since one of his Father's Children was to have it, he (as the First-born perhaps) might have expected it before either of the rest, had there bin no demerit in him.

But having done that which render'd him incapable to retain his Birthright, (which was a thing of Profit only) how much more unworthy must he be accounted of the Accession of so great an Honour as a Crown?

And thus by the Default of *Reuben*, and Misdemeanour of his two next Brothers, the first Nomination to the Crown fell upon *Judah*, a fourth Son.

And as this first Nomination to the Scepter fell upon a fourth Son;

And as this fourth Son had the Scepter without the Birthright:

So by the Sequel of the History, in the Execution of this Entail, it will appear that the Scepter was not inseparably annex'd to the Birthright, but went alternatively, sometimes to the elder, and sometimes to the younger Sons.

When the Fulness of the Time was come, that God had appointed for the Execution of this Entail, he said to *Samuel*, *Go down to Jesse the Bethlehemite, for I have appointed me a King among his Sons.*

By which God pass'd by the elder House of *Judah*, and pitch'd upon the younger for the Royal Family, to whom the Scepter was first deliver'd.

For

For *Jesse* was descended from *Pharez*, Son of *Judah* by a second Venter ; whilst *Shelah*, the youngest Son of *Judah* by a former Venter, had a numerous Issue, which were then the elder House of *Judah* : (*Er* and *Onan*, the two elder Brothers of *Shelah*, dying without Issue.)

But both Houses being within the general Entail, God had thereby reserv'd to himself the Election of which of them he pleas'd.

Neither did he think himself oblig'd to deliver the Scepter to *Jesse* himself, (tho then living.)

Nor did he presently declare which of his Sons should have it.

And after they were all duly presented, he at last chose the youngest.

And that not from any visible Defect or Disability in the elder.

For *Eliab* the eldest (and first presented) made such a goodly appearance, that *Samuel* concluded that must be the King ; Surely the Lord's Anointed is before him.

But God said *he had refus'd him* ; and that's Disability enough, without giving any other Reason.

And so it far'd with six elder Brothers more, when they came to be presented in their turns.

And thus the Choice fell upon *David*, the eighth and youngest Son of his Father, who

who was of the younger House of *Judah*, (the elder House not extinct.)

Now I can't but think, that if some of our *Jus-Divinum*-Men had been in *Samuel's* place, they would have shak'd their heads at this, *As being all wrong.*

But God knowing himself within his own Institution, by which he had reserv'd to himself the Nomination of whom he pleas'd within that Entail, he put no Case to *Samuel*, or any Man else about it: But said, *Arise, anoint him; for this is he.*

And thus this Entail was first executed in *David*, who was the first anointed King within the Prophecy.

For *Saul* (tho a King in *Israel* before him) was not within the Prophecy or Entail; being of another Tribe, and made a King extraordinary for a turn only (to gratify the too hasty Désires of the *Israelites*, to be in the fashion with other Nations) and therefore his Scepter fell with himself.

Of which *Jonathan*, his Heir apparent, being conscious, disclaim'd all Pretence to the Succession (in the Life of *Saul*.)

And so did *Mephiboseth*, his Son, after his Death.

And when *Ishboseth*, a younger Son of *Saul*, made a struggle for it, it was decided against him for *David*.

Now this Scepter thus put into the hand of *David*, the youngest Son of the younger House

House, was as good Retainer of it in the Tribe of *Judah*, as if it had bin deliver'd into the hands of *Eliab* the eldest Son of the younger House, or to any of the Family of *Shelah*, who were of the elder House.

For that *David* was as well descended from (and by this Entail as well inheritable unto) *Judah*, as any of them were.

And as this Entail was first executed in *David* the youngest Son of *Jesse*, the next Instance of the Execution of it was in *Solomon*, the Son of *David* by a seventh Venter, (several Sons by some of the former living.)

And *Solomon* had this Title solemnly affirm'd to him against *Adonijah*, the then eldest Son of *David*.

David being old and cold, and half bedrid, *Adonijah* made the first start for the Crown.

Of which the Alarm being brought to *David*, he gave his Royal Nomination for *Solomon*.

Which *Solomon's* Friends thought a sufficient Warrant for them to proclaim him.

But yet they did not think this single Vote of *David* a compleat Title, without the Voice of God concurring with it.

And therefore when *David* said it, *Benajah* reply'd, *The Lord God of our Lord the King say so too.*

Which God did, by turning the Hearts of the People (as one Man) for *Solomon*, upon blowing the Trumpet, proclaiming him : *And all the People said, God save King Solomon !*

And at the same time smiting the Hearts of *Adonijah* and his Party with Fear, every one shifting for himself.

Adonijah to the Horns, and they to their Homes ; *Every Man went his way.*

By which God did as effectually confirm the Nomination of *David* for *Solomon*, as if he had spoke it with an audible Voice from Heaven.

And this Scepter thus deliver'd unto *Solomon*, was as good a Retainer of it in the House of *Judah*, as if it had bin held by *Adonijah*.

But from *Solomon* down to *Jeconias*, the Scepter seems to have bin convey'd from Father to Son in twelve direct Descents, till the *Babylonish* Conquest.

Yet not without one Usurpation by a Queen Dowager, and no less than three Instances of Kings depos'd ; one by a foreign Power, and the rest by the Subjects.

After this, from the Captivity the Entail seems to have bin discontinu'd, not for want of Issue of the Blood Royal, but by Translation of the *Jewish* Scepter to the *Assyrian* Monarchy.

From whence some Cavils have bin made by *Jews*, and some Questions arisen among Christians, concerning the fulfilling of this Prophecy; since there seems a Departure of the Scepter from *Judah* before the Coming of Christ.

This is at large debated, and afterwards resolv'd by that Great Divine Dr. *Montague* (Bishop of *Norwich*) in his *Acts and Monuments of the Church before Christ incarnate*:

And is not to my present Argument to repeat.

What is incumbent on me, is to observe how the Entail was executed before any seeming Discontinuance of it.

Now as the two first Instances of the Execution of this Entail, falling upon younger Sons, doth not thereby signify the Title of the Crown to be of the nature of *Borough-English*, always to descend to the youngest Son:

So the twelve subsequent Instances of the Enjoyment of it by the eldest Sons, doth not conclude that no other of the Tribe were capable of inheriting within the Entail.

For if so, then the whole Descent of it from *Solomon* to *Jeconias* was a Wrong and Disseizin to *Adonijah* and his Descendants.

And consequently the Entail had never any due Execution of it within the Prophecy.

Which would be to falsify the Scripture.

Indeed had this Prophecy never come to our hands:

Nor any Account of the Execution of this Entail in *David* and *Solomon* (who were younger Sons :) the successive Descents of it to the eldest, might have bin offer'd as an Argument that it was annex'd to the Birthright.

For when a Custom doth appear by it self only, and there doth not appear with it any Original Institution of it one way or other : the Law doth presume that the Original was answerable to the Custom, altho that Original cannot now be produc'd.

But in this Case (as in all other Cases where the Original Constitution is still extant) the Custom or Usage subsequent, is to be expounded by that Original as the Standard of it.

And therefore when the *Jews* thought their Way of Divorce was well supported by a Custom receiv'd from the Time of *Moses* ; our Saviour shew'd them the contrary, by producing unto them the Original Institution of Marriage, which did not warrant their Custom.

And from thence he affirm'd the Original as the Right, and confuted their Custom as Wrong.

Where-

Wherefore the Original Institution of this *Jewish* Monarchy being still extant, and it appearing by the first Creation of it, that the Scepter was not thereby precisely annex'd to the Birthright: and the Execution of the same Entail also appearing to have bin alternative, sometime in the elder, and sometime in the younger: It is from hence evident, that the Entail was general, and not special, so as always to come to the next of the Blood Royal to the last Regnant.

And yet this general Entail is as pure an Inheritance, and the Title thereof as perfectly *Hereditary*, as if it had bin specially limited to the very next in Blood.

I think the Civilians say, *Heredes facti, non nati*: No Man is born an Heir, further than the Laws of his Country make him so.

By which the Heirship becomes as different as the Laws themselves.

By the *Jewish* Laws the eldest Son had only a double Portion of the Estate; which was call'd *the Birthright*.

By the *Common Law of England* he hath the whole.

By the Custom of *Gavel-Kind* he hath only an equal Share with his other Brothers.

By

By the Custom call'd *Borough-English*, he hath none at all : but the youngest hath the whole.

In all which Cases, neither of them are call'd Heirs in the Life of their Father, but Heirs apparent only.

For that by the Alienation or Forfeiture of the Father, there may be nothing left for them to inherit : In which Case they are Sons only, and not Heirs.

But where any Inheritance is left to remain unto them, they are each of them as pure Heirs in one Case, as well as the other.

By Custom of *Gavel-kind*, all the Sons; and by that of *Borough-English*, the youngest by himself, are as perfect Heirs, (and their Estates as purely Hereditary) as the eldest Sons are by the Common Law.

But I can't think that any Well-wisher to a Crown would have the Title of it to be the same with that of Lands amongst Subjects, which are alienable or forfeitable from their Families by the present Owner in Possession, unless they are otherwise settled.

And when they are otherwise settled, they are to go according to that Settlement.

Now by this Settlement of the *Jewish* Monarchy the Scepter was so entail'd, that it was not any ways alienable or forfeitable from the House of *Judah*, nor could any
ways

ways be transfer'd from that Tribe.

And yet I say it was not special to Persons, but general to the Tribe.

Which General did not yet give a Latitude to all or every one of that Tribe, to claim the Crown upon the Death of the last Regnant.

Nor could there be more than one rightful Claimant at the same time.

Nor was the Person, having that Right, to wait for the Choice or Approbation of the People, before he ascended the Throne.

But upon the Demise of the last Regnant, the next to him in the Royal Blood was next in Right inheritable to the Crown within this Entail, *unless there were an apparent Default, or Disability in him: which might be assign'd as a lawful Cause to the contrary.*

And this Cause must be assign'd by God himself.

Which was eminently done in the two first Instances of *David* and *Solomon*.

In the first, God gave his own decisive Vote for *David* (against *Eliab* and all the other elder Brothers) in express words to *Samuel*, and in the presence of the People.

In the last, God was silent as to express Words, but left the Signification of his Pleasure to be known by the Voice of the People; who, upon proclaiming of *Solomon*, gave the Decision for him against *Adonijah* :

jab : And All the People said, God save King Solomon.

And yet this *All* was not every one: for *Adonijah* and his Guests were at another place (with other Thoughts in their heads) and if they had bin there, would have given their Negative if they durst.

But that Negative not appearing, the *All* was *Nemine Contradicente*.

They that were for *Solomon*, said *Ay*; and they that were against him, durst not say *No*.

And such a *Vox Populi* as this, is *Vox Dei*.

For when *God turns the Hearts of Men like Rivers of Water*, there's no Rowing against that Stream.

It is hard to kick against the Pricks.

And yet in this Reserve, God did not act as Absolute and Arbitrary, but kept within the Bounds of his own Institution.

And they that are not willing to allow such a Reserve to God within his own Laws, must deny him the Regimen of the World; as if he were oblig'd to take all things as they come (hap-hazard) without concerning himself one way or other in human Affairs.

If God had bound himself up, always to be for him that first came out of the Womb; how came he to prefer *Jacob* to *Esau*, *Ephraim*

phraim to *Manasseh*, *David* to *Eliab*, and *Solomon* to *Adonijah*?

And yet God did not prescribe these Preferences as a general Rule, for the Younger always to be prefer'd to the Elder.

• But he shew'd them as Examples of the Reserve made to himself out of that general Rule.

And a Title by exception out of the general Rule is as High and Sacred, and of Divine Institution equal with any thing that is within the general Rules.

And having thus trac'd out the Original Settlement of the *Jewish* Monarchy, and the Manner of the Execution of it:

I rest upon it as the Basis of a Monarchy founded by Divine Institution.

For tho the Entail of that Scepter was but temporary until *Shiloh* came:

Yet the Form being still extant, doth remain an eternal Precedent of the most perfect Form of Government.

And should we trace the Universe, perhaps there's not to be found the express Original Plan of any other Monarchy in the World.

But the Customs or Usages of them are the *Jura Corona*, by which they are held.

And this is the Stile in which the Kings and Queens of *England* have given out their

Commissions to execute their Laws by :
Quod faciant secundum Legem & Consuetudinem Regni nostri Angliæ.

Now whatever Monarchy can produce the Laws and Customs of their Crown to be conformable to this Original Institution of Monarchy deliver'd out by God, I call that Crown and Monarchy to be of Divine Institution.

And this the *British* Monarchy may lay claim to, before any other Monarchy or Government in the World.

Which shews that the Lines are fallen to us in a goodly Place.

For that God hath not dealt so with other Nations, who either never had, or else have since lost, what we hope always to keep.

That the Crown of the *British* Monarchy is *Hereditary* in and to the *Royal Family*, and that only, I know no one will deny.

But that this Inheritance of the Crown is or ought to be inseparably annex'd to the Birthright, or to the next of the Blood Royal to the last Regnant, no one can affirm, without betraying his Ignorance of the Rights of the Crown, and of the Laws and Customs of the Monarchy.

And if such Translations of the *British* Crowns, as have been from time to time made from one to another of the Royal Blood,

Blood, be not rightful and hereditary, but that the Regnants deriving under such translated Titles are Disseizers and Wrong-doers; then I leave it to the Historians, Divines and Lawyers, to shew where the Right and Inheritance of both or either of them is at this day.

And according to such former Translations of these Crowns, the contingent Succession to them both (now united) doth stand translated to the House of *Hannover*.

And they that deny this to be of Divine Institution, I leave them to shew some other Divine Institution to the contrary.

But because I have mention'd such Translations to have bin made, in default or disability of some Person of the Blood Royal who would otherwise have inherited, I dare not but observe, that in the Translation of the Crown (upon the Abdication of the late King *James*) the preferring of his late Majesty King *William* to her present Majesty (for his Life) was not in any Default or disability of her Majesty, but by her own Consent in the Legislature; and for the better preserving the Crown for her Majesty and her Royal Family, against a Disinheriton then attempted upon them.

Nor is such Translation to the House of *Hannover* any Affront or Dishonour to the intermediate Relations in the Royal Blood,

between her present Majesty and that House.

Because the Disability imputed to them is not personal or criminal, but general and political; and is no more than what her Majesty hath subjected her own Issue to be disabled by, in case they should fall under it.

And as such Translation is no Affront or Dishonour, so 'tis no Wrong or Disinheriton to any such intermediate Relations: for that they being legally disabled before any Descent of Right can fall upon them, there remains no Right of Inheritance in them.

THIS is what I have to say in proof of what I have asserted.

But finding in this Creation of the *Jewish* Monarchy, *the Allegiance from the Subjects to the Scepter*, prescrib'd with it, I am searching into it for Passive-Obedience.

The Form of the Allegiance stands in two Clauses.

1. *Thou art he whom thy Brethren shall praise.*

2. *Thy Father's Children shall bow down before thee.*

The first respects our Words,
The last our Behaviour.

And

And the Terms of them both are the same that are prescrib'd to be us'd by Man to God himself.

Praise the Lord, and bow down before him.

And therefore they that demand a higher Allegiance than this, *exalt themselves above God.*

But should we turn this into a Passive-Obedience-Style, it would run thus ;

Thy Father's Children shall suffer under thee, for which they shall praise thee, and bow down before thee.

But God gives other Reasons for the Praises due to him.

Praise the Lord *For his Goodness,
For his wonderful Works to
the Children of Men,
For his Mercy endureth for
ever.*

Which of these *For's* now, is for Passive-Obedience (think you ?)

But between these two Clauses, there is this Clause intervening, *Thy Hand shall be in the Neck of thine Enemies.*

And if they can fetch their *Non-Resistance* and *Passive-Obedience* out of this, I shall not be their hindrance.

But let it stand as it doth ; and don't you think the Chaplains of the Army would have a fine time of it, to be sent to preach up *Non-Resistance* in the Enemies Camp ?

Or

Or might *Enemies* be translated into *Subjects*, would it not seem an odd Fancy (think you) to have a *King drawn with his Hand upon one of his Subject's Throats*, as an *Emblem of Allegiance*?

I will not offer my self an Evidence of a Negative; but in all my reading I never did observe any Adjective tack'd to Obedience in the whole Scripture.

Obedience is better than Sacrifice, that relates to God.

Be obedient to the Higher Powers, that relates to Man.

God thought this well enough for himself.

And *Paul* thought his well enough for Kings and Princes, without any further addition.

And yet I don't forget the Command, *Resist not Evil*, which our Saviour gave to his Disciples, sending them out as Sheep among Wolves.

But this Command speaks the Persons not to be so resisted, *to be evil Doers*.

Against a good Doer there's no occasion of this Command.

For no good Man will *smite you on the Cheek*.

Nor any honest Man *take away your Cloke*.

To preach Obedience to higher Powers, is to preach like *Paul*.

And

And to preach Non-Resistance against evil Doers, is to preach like Christ.

But to preach up Non-Resistance against Kings and Princes as *evil Doers*, to me seems but an odd way of Courtship.

But they that would fetch a Passive-Obedience Doctrine out of the Scriptures, as a thing of Duty or Worship, let them repair to the Prophets of *Baal*, and the Priests of *Moloch*, where they may see (Work for Surgeons and Sport for Devils) *cutting with Lances*, and *driving Children thro the Fire*, in Sacrifice to their Gods, for whom they had no other Worship than Fear, as fancying them delighted with Cruelty.

But when they had drawn in some of the *Israelites* into these Abominations, persuading them as if their God was so delighted too; God seems to arise out of his place in the height of his Indignation against it, as a thing most contrary to his Nature, and the furthest from his Thoughts:

Who hath requir'd this at your Hands?

Nor ever came it into my Mind.

Allegiance in our Laws is the antient known Term of the Subject's Duty to the Sovereign, and comprehends every thing necessary for the Support and Defence of the Crown.

And this is what every Man after Sixteen is to be sworn to, within the Mannor where he is resident. But

But the Seneschals having neglected this Duty, the Pulpits seem to have taken it up.

And by hearing some Sermons, one might think they were keeping a Court-Leet in the Church, instead of preaching the Gospel.

And yet I don't think they have added any thing to Allegiance, by splitting and quartering it (as the *Levite* did his Concubine) that every one may take a piece.

This way of multiplying by Division, comes but to the old Proverb, *More of it, but No more in it.*

Nor do I think her Majesty so much beholden to them (as they would have her think she is) for multiplying or dividing her Title to the Crown, which is intire and indivisible.

And *what God hath join'd, let no Man put asunder.*

To be making daily Recognitions of a Right, which no one doubts of, and daily Professions of a Duty which every one owes, seems rather a Suspicion than an Assurance of Sincerity.

But if it be any part of Duty to express our Acknowledgments of her Majesty's Right to the Crown,

I have neither more or less to recognize than what no one can deny,

That

That her Majesty's Election to the Throne of her Ancestors is by God himself.

And yet I can't think it the least Dero-
gation to the highest Prerogative of that
Right, *for all the People to resound the Eccho,*
and say Amen.

And 'tis with the most intire Satisfaction
that I have more than once taken the Oaths
of Allegiance to her Crown, which I obey
with Pleasure as well as Duty.

But yet should these Oaths be alter'd, and
made to run in the Stile of the Addresses,

You shall bear Faith, and Passive-Obedience,
and Non-Resistance to her present Majesty,
&c.

I am not afraid to declare that I would not
take them so tender'd:

Because instead of swearing Allegiance to
her Crown, I should think that I was there-
by implicately swearing some Crime against
her Person, as an evil Doer intending to do
me wrong;

Which would be both Perjury and Re-
bellion.

The Substance of the Coronation-Oath is,
For preserving the Laws and Rights of the
Kingdom.

Now would it not be a fantastical Amend-
ment to offer a Clause to this, *for beheading*
all the Peers, and hanging all the Commons that
should be Offenders?

E

And

And yet it doth belong to the Supreme Executive Power to have such Justice done, if there be occasion.

But no Man being suppos'd an Offender before the Offence committed, there are no such words of Anticipation in that Oath.

So Passive-Obedience being only necessary, either where the Sovereigns violate their Oaths to the Subjects, or where the Subjects depart from their Allegiance to the Crown :

And we being all Witnesses (against one another) for our Sovereign ;

*Quæ consulta patrum, quæ leges juraque
servat :*

Where then shall we apply our Passive-Obedience, without being Witnesses against our selves, that we are departed from our Allegiance?

But it's become a Proverb for *Englishmen*, never to know when a thing is well.

The plain old Substantive *Obedience*, that hath stood by it self in the Laws of God and Man almost 6000 years, must now be drest out with fantastical Adjectives and Epithets, which our Forefathers never knew, and God himself hath disown'd ever to have thought of ; *nor ever came it into my Mind.*

Which puts it upon them to shew how it came into their Heads.

Let

Let it be when, or where, or what, or whose Doctrine it will, if they can't fix it *to the Law and to the Testimony, it is because there is no Truth in it* ; without this it is not Divinity, but Cant.

Teaching for Doctrines the Traditions of Men.

And endeavouring to make void the Commandments and Original Institutions of God by such Traditions subsequent.

And yet I am not avowing the killing of Kings, or rebelling against them.

And should I be ask'd (the Casuistical Point I have heard so often stated) *what I would do if the King should offer to kill me with a drawn Sword?*

I would tell the Casuist, he is a *Put-Case*.

A Question not to be ask'd, is a Question not to be answer'd.

But a true Passive-Obedience Man will tell you upon this, that you must not run away from the King, nor disarm him, but stand still (or rather kneel down) and receive the Blow.

Like enough ! this may be right for ought I know.

But when they shew me such a Case between the first of *Genesis*, and the last of the *Revelations*, I'll give my Answer to it.

In the mean time, I can't but think that such a thing must put any Man into a

Fright or a Passion; and who can answer for himself under either of these?

For my own part, I am so far from pretending to higher strains of Duty to God or Man than what are commanded me, that I confess my self a Sinner against them both every day.

Indeed by the Hereditary Loyalty that runs in the Blood of some of the Addressers (as they say) one would think they might claim an Exemption for them and their Families from taking any Oaths of Allegiance at all.

And by the multitude of Volunteers offering to sacrifice their Lives and Fortunes, there seems no occasion for a Recruit-Bill.

But as they that are most forward in Threats, are commonly least to be fear'd:

So they that are over-free in their Promises, are not always most to be trusted.

The Son that said, *I go not, but went, did the Will of his Father.*

Nor do I think after all, that those overgrown Loyalists intend to ingross this Passive-Obedience to themselves.

For (unless human Nature be chang'd since *Paul's* time) *no Man ever yet hated his own Flesh.*

I have bin told of a Jesuit, who prescrib'd a Spell to his Confessant for Cure of a Dis-temper he had himself; and being ask'd why
he

he did not apply it at home, said, It would do him no good, for he did not believe it.

And I rather think these Gentlemen have a Job of Passive-Obedience in their Heads for their Fellow-Subjects, in case the Crown could be extricated out of the Republican Settlement.

They would bind heavy Burdens upon other Mens Shoulders, but they will not bear them with one of their Fingers.

And yet why should I thus take up the Spleen again, in making this Suggestion upon them, when we have their own words to the contrary?

As a Witness, to prove a Man dead, gave as Evidence, to corroborate his Testimony, *That the dead Man himself told him so.*

But for the Truth of my Suggestion, I appeal to their own Consciences.

—*Non hæc mihi Crimina fingi
Scit bene Tydides.*

NOW if any one asks, What I write this for?

In promptu causa est, *That it may be read.*

I never find my self less diverted, than with Discourses of Religion or Government in common Conversation.

Nor ever think my self better entertain'd, than with Treatises of either.

And judging of others by my self, I have given every one opportunity of knowing my Thoughts in both, without knowledg of my Person.

And tho I convince none that I am in the right, it is some pleasure to render it difficult to contradict me, tho I am in the wrong.

I have been much accus'd of being in Jest, by them with whom I would not exchange for their Earnest.

And tho I am the worst of Men, I shall not own my self a very bad Author till the Printer tells me so.

And if he brings his Quantum Meruit against me for this, I give the World my Word a second time, That after this I'll never write again.

FINIS.

